

House File 714 - Reprinted

HOUSE FILE 714

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HSB 246)

(As Amended and Passed by the House April 19, 2023)

A BILL FOR

1 An Act relating to merchant line franchise petition
2 requirements and including retroactive applicability
3 provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 478.6A, subsection 2, Code 2023, is
2 amended to read as follows:

3 2. Notwithstanding [section 478.21](#), in addition to any
4 other applicable requirements pursuant to [this chapter](#), if a
5 petition for a franchise to construct a merchant line that
6 is proposed to be constructed above ground and involves the
7 taking of property under eminent domain is not approved by the
8 board and a franchise granted within three years following the
9 date the petition is filed with the board pursuant to section
10 478.3, the board shall reject the petition and make a record
11 of the rejection. If the hearing on the petition conducted
12 pursuant to [section 478.4](#) has been held within the three-year
13 period following the date the petition is filed, but the board
14 has not completed its deliberations within that three-year
15 period, the three-year period may be extended by the board to
16 allow completion of deliberations. A petitioner shall not file
17 a petition for the same or a similar project that has been
18 rejected within sixty months following the date of rejection
19 if the rejection was for failure to be approved within three
20 years following the date the petition was filed as provided in
21 this subsection.

22 Sec. 2. RETROACTIVE APPLICABILITY. This Act applies
23 retroactively to a petition for a franchise submitted on or
24 after September 1, 2020.